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Attorneys for Defendants
 PENINSULA CORRIDOR JOINT POWERS BOARD
 (erroneously sued herein as Caltrain)

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CLARENCE JAMES "KIMO" SLOAN, JR.,

Plaintiff,

v.

CALTRAIN, a public corporation; MICHAEL
 SCANLON; AMTRAK, a public corporation;
 DAVID GUNN; AMELCO ELECTRIC; a
 private corporation; MARK ANGELICH;
 KINGDOM PIPELINE; a private corporation;
 BRENDAN MURPHY; CHRISTOPHER
 PAYNE; ROD MCLEAN; DEREK BROWN;
 LOUIS AVILEIR; CLAUDE ROBBINS;
 WAYNE PARKS; RUSSELL HOLDEN;
 JAMES CHAMPDELANE; and DOES 1
 through 20, inclusive;

Defendants.

AND RELATED CROSS-CLAIM.

CASE NO. C 05-03168 WHA

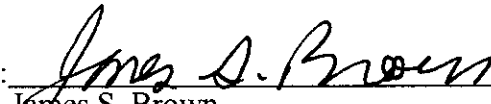
**STIPULATION AND ~~PROPOSED~~
 ORDER DISMISSING CROSS-CLAIM
 AGAINST DEFENDANT KINGDOM
 PIPELINES, INC., WITHOUT
 PREJUDICE**

Plaintiff CLARENCE JAMES "KIMO" SLOAN, JR. filed the original Complaint in this
 Action in San Mateo County Superior Court on June 17, 2005, Sloan v. Caltrain, a public
 corporation, et al., San Mateo County Superior Court Case No. CIV447601, and served
 Defendant Peninsula Corridor Joint Powers Board ("Caltrain" or "Defendant"), erroneously
 named as "CalTrain" in the original Complaint. The Action was then removed to the U.S.
 District Court for the Northern District of California on August 4, 2005. Caltrain filed and
 served a cross-claim on January 23, 2006 on Defendant Kingdom Pipelines, Inc., ("Kingdom").

1 The Court entered an order dismissing Caltrain from the Plaintiff's action on April 23,
2 2006. Defendant Caltrain and Cross-Defendant Kingdom have now settled all claims between
3 them and request, pursuant to Federal Rules of Civil Procedure, Rule 41(a)(2), that this court
4 enter an order dismissing Caltrain's cross-claim against Defendant Kingdom in its entirety,
5 without prejudice, with both Caltrain and Kingdom to bear their own costs and attorneys' fees
6 related to Caltrain's cross-claim and the dismissal of Kingdom from the cross-claim in this
7 action.

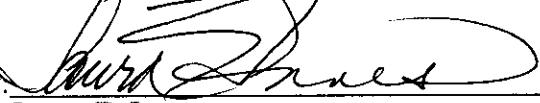
8 DATED: June 19, 2006

SEDGWICK, DETERT, MORAN & ARNOLD LLP

9 By: 
10 James S. Brown
11 Marc A. Koonin
12 Attorneys for Defendant
PENINSULA CORRIDOR JOINT POWERS
BOARD (erroneously sued herein as Caltrain)

13 DATED: June 14, 2006


SIMPSON GARRITY & INNES

14 By: 
15 Laura E. Innes
16 Attorneys for Cross-Defendant
17 KINGDOM PIPELINES, INC. (erroneously sued
18 herein as Kingdom Pipeline)

19 **ORDER**

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21 DATED: June 22, 2006

22 
23 Hon. William H. Alsup
24 UNITED STATES DISTRICT COURT JUDGE